

BRETT T. CULVER, 301 MOREA ROAD,
FRACKVILLE, PA. 17932 IN PROPRIA PERSONAM

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRETT T. CULVER

Plaintiff,

v.

T.E. MIKNICH,
et al.,

Defendants.

ORIGINAL

FILED
HARRISBURG

OCT 25 2001

MARY E. D'ANDREA, CLERK (Judge Kane)

Per DEPUTY CLERK

PLAINTIFF'S
FIRST SET OF
INTERROGATORIES

Case No.: 1:01-cv-00904

27
10/26/01
MT

In accordance with Rule 33 of the Federal Rules of Civil Procedure, Plaintiff requests that Defendant T.E. Miknich answer the following interrogatories separately and fully in writing under oath, and that the answers be signed by the person making them and be served on plaintiff within 45 days of service hereof.

In responding to these interrogatories, furnish all information which is available to you, including information in the possession of your attorneys or investigators for your attorneys, and not merely information known of your own personal knowledge.

If you cannot answer the following interrogatories in full, after exercising due diligence to secure the information to do so, so state, and answer to the extent possible, specifying your inability to answer the remainder, and stating whatever information or knowledge you have concerning the unanswered portions.

These interrogatories shall be deemed continuing, so as to require supplemental answers as new and different information materializes.

1. What is your full name and address?
2. Have you been employed as a Department of Corrections employee during the time period of March 2000, 1999 through October of 2001?
3. On the date of April 13, 2000 did you seize and remove from plaintiff personal property, namely, legal documents and materials?
4. What were your reasons for detaining plaintiff and seizing his personal property of legal work/documents/records?
5. Describe what violations by the plaintiff you observed which resulted in your detaining the plaintiff, conducting two body searches on his person, and the subsequent seizure of plaintiff's personal property of legal documents/records.

6. Were you instructed by anyone to detain or search the plaintiff on the date of 4-13-00?
7. If yes, name the persons who instructed the action, and relate what instructions were given to you concerning the plaintiff which resulted in actions taken.
8. Did you view and inventory the seized legal documents taken from plaintiff?
9. If yes, explain the contents of the legal documents you viewed and seized.
10. Explain the reason you refused to return the plaintiff's personal property of legal documents at the incident time and date.
11. Did you write out a listed receipt or confiscation slip for the items and personal property of legal documents you seized from plaintiff?
12. What did you do with the plaintiff's personal property of legal documents that you seized on 4-13-00?
13. Cite names and titles of any persons whom you turned the plaintiff's seized legal documents over to, including date and time items were turned over.
14. Cite names and titles of any persons present at the time plaintiff was detained during incident, and any persons present or knowledgeable of the plaintiff's seized legal documents incident.
15. Have you ever been reported by incarcerated persons for alleged or confirmed incidents/altercations/misconduct during your time of employment by the D.O.C?
16. If yes, relate the nature of all reported complaints.
17. To your knowledge, do you, or any other employees have any knowledge of any item mentioned there being altered in any manner, lost or destroyed?
18. If yes,
 - (a) Explain;
 - (b) Cite instances, items, dates;
 - (c) Cite names and addresses of persons involved or who have knowledge relevant events.

10-23-01

Dated: _____

by

Brett T. Cole

PROOF OF SERVICE

I, the undersigned, hereby aver that I have served the foregoing; "Plaintiff's First Set of Interrogatories" to be served upon the defendants of Complaint, Case No. 1:01-cv-00904. The Interrogatories have been submitted to the U.S. District Court (Clerk of Courts), to record date and service upon the defendant; T.E. Miknich, in Case No. 1:01-cv-00904. Plaintiff now submits to the Clerk of Courts the Interrogatories in the manner indicated:

SERVED BY U.S. MAIL ADDRESSED AS FOLLOWS:

- (2) Copies (T.E. Miknich), one to be served upon defendant, and one for the Court record.

TO: U.S. DISTRICT COURT
CLERK OF COURTS
228 WALNUT STREET
P.O. BOX 983
HARRISBURG, PA. 17108

Served this 23 day of October, 2001

Brett T. Cohen